

JUDGMENT

FILED: August 19, 1998

UNITED STATES COURT OF APPEALS

for the

Fourth Circuit

FILED

NO. 97-1697
CA-92-202-BR

OCT 13 1998

DAVID W. DANIEL, CLERK
U. S. DISTRICT COURT
E. DIST. NO. CAR

RUTH O. SHAW; MELVIN G. SHIMM; ROBINSON O. EVERETT; JAMES M. EVERETT; DOROTHY G. BULLOCK

Plaintiffs

and

JAMES ARTHUR POPE, a/k/a "Art"; BETTY S. JUSTICE; DORIS LAIL; JOYCE LAWING; NAT SWANSON; RICK WOODRUFF; J. RALPH HIXSON; AUDREY MCBANE; SIM A. DELAPP, JR.; RICHARD S. SAHLIE; HOWARD B. SMITH; H. M. TYLER, a/k/a "Ted"; FERRELL L. BLOUNT, III; H. HOWARD DANIELEY; ANTHONY G. POSEY; RACHEL NANCE RUMLEY

Intervenors - Appellants

v.

JAMES B. HUNT, in his official capacity as Governor of the State of North Carolina; DENNIS A. WICKER, in his official capacity as Lieutenant Governor of the State of North Carolina and President of the Senate; HAROLD J. BRUBAKER, in his official capacity as Speaker of the North Carolina House of Representatives; ELAINE F. MARSHALL, in her official capacity as Secretary of the State of North Carolina; NORTH CAROLINA STATE BOARD OF ELECTIONS; EDWARD J. HIGH, in his official capacity as Chairman of the North Carolina State Board of Elections; JEAN H. NELSON, in her official capacity as a member of the North Carolina State Board of Elections; LARRY LEAKE, in his official capacity as a member of the North Carolina State Board of Elections; DOROTHY PRESSER, in her official capacity as a member of the North Carolina State Board of Elections; JUNE K. YOUNGBLOOD, in her official capacity as a member of the North Carolina State Board of Elections

Defendants - Appellees

and

RALPH GINGLES; VIRGINIA NEWELL; GEORGE SIMKINS; N. A. SMITH;
RON LEEPER; ALFRED SMALLWOOD; OSCAR BLANKS; DAVID MOORE;
ROBERT L. DAVIS; C. R. WARD; JERRY B. ADAMS; JAN VALDER;
BERNARD OFFERMAN; JENNIFER MCGOVERN; CHARLES LAMBETH; ELLEN
EMERSON; LAVONIA ALLISON; GEORGE KNIGHT; LETO COPELEY; WOODY
CONNETTE; ROBERTA WADDLE; WILLIAM M. HODGES

Intervenors - Defendants

Appeal from the United States District Court for the
Eastern District of North Carolina at Raleigh

In accordance with the written opinion of this Court filed this
day, the Court reverses the judgment of the District Court. The case
is remanded to the United States District Court for the Eastern
District of North Carolina at Raleigh for proceedings consistent
with the opinion of this Court filed herewith.

/s/ Patricia S. Connor

CLERK

A True Copy, Teste:

Patricia S. Connor, Clerk

BY Deborah S. Ramey

Deputy Clerk